

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Blake J. Roessler *et al.*

Serial No.: 09/867,930

Group No.: 1635

Filed: 05/30/01

Examiner: Epps

Entitled: Nanoemulsion Formulations

TRANSMITTAL OF NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 14, 2004


By:


Mary Ellen Waite

Sir or Madam:

Applicants hereby submit a Notice of Appeal to the Board of Patent Appeals and Interferences in the above-identified patent application.

Dated: January 14, 2004


David A. Casimir
Registration No. 42,395

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



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Dated: January 14, 2004

By:

Mary Ellen Wark

Madam:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action dated July 15, 2003. Claims 1-4 and 6-13 stand rejected for purposes of appeal.

Please find a check in the amount of \$640.00 to cover the fee for filing the Notice of Appeal pursuant to 37 C.F.R. § 1.17(b) and a three month extension of time.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1290. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: January 14, 2004

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